

1

STEVEN J. IGNATZ

2 of investigation before.

3 Q. Okay. So would it be fair to say
4 that you were weren't really needed to go,
5 you were just going to learn?

6 A. That's fair.

7 Q. Okay. And how long had Fultz
8 been with the CLEAN system?

9 A. He was there before I had gotten
10 there, sir. I don't know how long. He's
11 still there. So I'm not sure.

12 Q. Okay. And did he tell you before
13 the conversation in the car how he had gotten
14 involved in this investigation?

15 A. I don't think so. I think it was
16 just something that was reported and he was
17 following up with it.

18 Q. Okay. Did he show you any
19 documentation during this conversation do you
20 want to go?

21 A. No. I don't recall seeing any
22 documentation.

23 Q. Okay. Now, I want you to try and
24 recall what was said by him as best as you
25 can when he asked you to go. I know we've

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2 been kind of paraphrasing. And if all that
3 you've paraphrased so far is all you can
4 recall then I'll move passed this.

5 But can you tell me
6 exactly how he approached you, where and what
7 he said?

8 A. I believe his office was right
9 outside of my office across a partition and
10 in the mornings we generally spoke over, you
11 know, he'd have a coffee or whatever and I
12 would ask what's on the agenda for the day,
13 which I did with the entire unit.

14 And I believe he just
15 said, I have to run down to Philadelphia
16 today. Would you be interested in going
17 along? Riding along?

18 And I just thought why
19 not. I'm new here. See what's going on.
20 You know, it sounded like it was something
21 that, you know, I should know about. So I
22 wanted to ride along.

23 Q. Okay. In your years as a law
24 enforcement officer since '82 had you come to
25 have the knowledge that people sometimes

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2 don't provide others with all the information
3 about the reason they're doing something?

4 In other words, in this
5 case, for example, Fultz didn't tell you all
6 the information to tell you he was helping
7 Tripp.

8 MR. HENZES: Who was
9 helping Tripp?

10 MR. PURICELLI: Fultz.

11 THE WITNESS: I didn't get
12 that impression at all.

13 BY MR. PURICELLI:

14 Q. I know. My question --

15 A. Okay.

16 Q. -- is have you come to learn in
17 all your years that people hold information
18 for a variety of reasons?

19 One, for example, would be
20 helping a friend or a coworker.

21 A. It does happen.

22 Q. Okay. And is there a reason that
23 you can tell me factually why that couldn't
24 have occurred here with Fultz not telling you
25 he received the phone call from Sergeant

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2

Tripp at Troop F about a request to go down

3

and check out Christopher Bush at the Newtown

4

Police Department?

5

A. No. I can't say whether that

6

occurred or not.

7

Q. Okay. I take it you didn't read

8

the entire transcript of testimony at the

9

arbitration?

10

A. Of?

11

Q. The arbitration.

12

A. The entire testimony?

13

Q. Right.

14

A. No, sir.

15

Q. Okay.

16

A. I just saw mine.

17

Q. Just saw yours?

18

A. Yes, sir.

19

Q. Okay. Now, when you were

20

traveling, obviously you then said that

21

Fultz -- I'll rephrase that. I think you

22

told me that Fultz then started telling you a

23

little bit about the events with the Bush

24

kids and the Bush complaint. Christopher

25

Bush's complaint.

1 STEVEN J. IGNATZ

2 Right?

3 A. Yes.

4 Q. All right. So you at least knew
5 going into Newtown that Fultz had had
6 information that Christopher Bush, who you
7 were going to go down and look at his report,
8 had already made a BPR complaint against
9 Tripp.

10 Isn't that true?

11 A. Yes, sir.

12 Q. All right. Did you ask Fultz
13 what that was about?

14 A. I think he just told me,
15 basically gave me a little briefing about the
16 entire thing that it had come up from a BPR
17 complaint.

18 Q. Okay. Now, in your years with
19 the State Police when you know there's a BPR
20 investigation is it true that you know that
21 no member of the State Police other than the
22 assigned investigator are to do anything in
23 regards to that BPR investigation?

24 A. Do anything?

25 Q. Yeah. Get involved. Unless

1

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2 they're assigned to that BPR investigation
3 they're not to get involved in that
4 investigation.

5 Is that true?

6 A. I think that's generally true,
7 but I'm just trying to think that through for
8 a second.

9 Q. Let me help you on that.

10 A. Okay.

11 Q. Okay. Because I'm not here to
12 confuse you. As you can see I'm fairly
13 familiar and Randy will tell you with State
14 Police policies.

15 State Police require an
16 investigation either delegated to the troop
17 or itself when there's a complaint.

18 Correct?

19 A. Correct.

20 Q. Okay. And whether it's a limited
21 investigation or a thorough investigation
22 depends on discussions other than with
23 investigators.

24 Correct?

25 A. Yes.

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2 Q. All right. And when that
3 complaint comes in, someone is specifically
4 assigned or someones to investigate the
5 allegation against the trooper.

6 Correct?

7 A. Correct.

8 Q. All right. And isn't it common
9 knowledge based on the field regulations that
10 unless you're assigned as that investigator
11 you shouldn't be going out there asking
12 questions or doing anything that might
13 jeopardize or interfere with that BPR
14 investigation?

15 Would that be fair?

16 A. I think that's accurate.

17 Q. Okay. Now, that's what I'm
18 getting at.

19 When Trooper Fultz told
20 you that there was a BPR investigation
21 involving the same department, the same
22 people and Tripp and where you were going,
23 didn't that send a red flag to you that maybe
24 you shouldn't be going down there?

25 A. No. It didn't.

1

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2

Q. Oh, okay. How much do you get

3

paid hourly?

4

I'm not interfering with

5

your --

6

A. I think --

7

Q. Roughly.

8

A. -- about \$49.50 per hour.

9

Q. Let's just say \$49. Okay. Round

10

it off to \$50 just for argument sake.

11

Okay?

12

A. Okay, sir.

13

Q. How much did Fultz get paid an

14

hour?

15

A. I have no idea.

16

Q. Less than that?

17

A. Yes.

18

Q. Okay. Would we say it would

19

probably be around \$40 an hour, no less?

20

MR. HENZES: I'm sure

21

Fultz would have liked it to be \$40 an

22

hour. I don't think it was.

23

MR. PURICELLI: Okay.

24

Well, if you want to tell me what it was

25

I'll use that number.

1

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2

MR. HENZES: No.

3

THE WITNESS: I don't

4

know.

5

BY MR. PURICELLI:

6

Q. Okay. Let's say it was \$30 an

7

hour.

8

Okay. You guys took how

9

long to go down there?

10

A. I think the ride down there was

11

probably around 90 minutes.

12

Q. And how long did you stay and

13

what time did you get back?

14

A. I think we were there for maybe

15

45 minutes from the time we got there until

16

they had us in, we did our thing and left. I

17

would say all in all we probably had five

18

hours tied up for the day.

19

Q. Okay. Portal to portal. Leaving

20

and coming back.

21

A. Yes.

22

Q. So it was \$350 fair estimate of

23

the hourly cost of the Commonwealth for the

24

two of you to go down and come back.

25

Is that right?

1

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2

A. I think so.

3

Q. To look at a report.

4

Right?

5

A. Yes, sir.

6

Q. And you went there and saw the

7

report.

8

Correct?

9

A. Yes, sir.

10

Q. And you made a determination that

11

everything was honky dory. No violations.

12

Correct?

13

A. Yes, sir.

14

Q. So it cost the Commonwealth tax

15

payers a few hundred dollars to learn that

16

everything was just okay.

17

Right?

18

A. Yes, sir.

19

Q. Okay. And when that was done who

20

did Fultz report that information to?

21

A. The report goes -- he documented

22

it. It came back to me. I signed off on it.

23

And that was the end of it; as far as I know.

24

Q. Well, if you were requested to do

25

a report under the FR you're required to

1

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2 notify the complainant the investigation was
3 satisfied.

4 Isn't that true?

5 A. Yes, sir.

6 Q. All right.

7 A. It actually went back to Troop F,
8 I believe.

9 Q. Okay. Who sends it to Troop F?

10 A. I believe I contacted Lieutenant
11 Hile at Troop F and told him that there was
12 no CLEAN violation.

13 Q. Okay. And what did he say?

14 A. I don't recall.

15 Q. Oh, okay. Now, according to the
16 testimony and from the arbitration hearing
17 Sergeant Tripp is the complainant.

18 MR. HENZES: The
19 complainant?

20 BY MR. PURICELLI:

21 Q. The complainant, the requester of
22 this.

23 Did you know that?

24 A. I didn't know that.

25 Q. Okay. So under the FR then --

1

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2

MR. HENZES: Where does it

3

say in the testimony he's the

4

complainant?

5

MR. PURICELLI: He's the

6

one that testified he made the request.

7

BY MR. PURICELLI:

8

Q. That makes him the complainant.

9

Doesn't it, Lieutenant?

10

The person calling you

11

asking you to do something would be

12

classified as the complainant?

13

A. I would classify them as the

14

complainant. Yes.

15

Q. Okay. And in your -- since '82

16

you've been taking reports, I assume.

17

Right?

18

A. Yes, sir.

19

Q. And you've been trained in the

20

State Police's forms.

21

Correct?

22

A. Yes, sir.

23

Q. Okay. And that form doesn't --

24

the initiations, either an incident report or

25

victim statements doesn't say requester. It

1

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2 says complainant.

3

Correct?

4

A. I'm not sure about the complaints

5

for CLEAN violation if it says complainant on

6

there or not.

7

Q. Okay. Did you at any time talk

8

with Captain Hill?

9

A. No.

10

Q. Okay. Do you know if Captain

11

Hill called to CLEAN in order to initiate the

12

investigation done by Fultz and yourself?

13

A. I don't know that. Like I said,

14

it came in before my tenure at CLEAN.

15

Q. Okay. Well, the investigation is

16

supposed to be thorough.

17

Correct?

18

A. Yes.

19

Q. Okay. Now, the Tripp called and

20

requested that CLEAN --

21

MR. HENZES: Read

22

paragraph 145 before you get into that

23

question. Read page 145 because now

24

you're asking questions on inaccurate

25

information.

1

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2

MR. PURICELLI: I don't

3

believe that's the area I'm referring

4

to.

5

I am going to question

6

them about that area so we'll be able

7

to --

8

MR. HENZES: You're saying

9

Tripp called them. He's saying, no.

10

Tripp never called him. Nor did Tripp

11

ever call CLEAN.

12

MR. PURICELLI: Okay.

13

We'll find out. I guess what we'll have

14

to do is look at that form and see who's

15

the complainant.

16

Won't we?

17

MR. HENZES: It says on

18

the form. Look at Fultz's report.

19

MR. PURICELLI: Okay.

20

MR. HENZES: I received

21

this investigation from Sean Sanders.

22

MR. PURICELLI: That's the

23

report. I'm looking for the

24

complaintant form. Not the report.

25

MR. HENZES: No. He told